IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1335 OF 2005

Mahesh Chimaji Metkari & Ors. ...Applicants

Versus

State of Maharashtra ...Respondent

.....

Mr.Shrishail Sakhare for Applicants.

Mr.V.B.Konde-Deshmukh, A.P.P. for Respondent.

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**CORAM: A.M.KHANWILKAR, J.**

**MARCH 2, 2005.**

**P.C.**

1. Heard Counsel for the parties. Perused the record.

2. Having regard to the seriousness of the offence, coupled with the fact that there is material to indicate complicity of the Applicants in the commission of the crime and that, there are antecedents against the Applicant No.1, moreover, as investigation is still in progress, not a case

for bail. Hence, Application insofar as Applicants 1, 2 and 3 are concerned, is rejected.

3. Although on merits, there is evidence to indicate the complicity of the Applicant No.4 Sou.Bhagubai Chimaji Metkari in the commission of the crime, however, as she is a female and as the learned A.P.P., on instructions, states that she can be released by imposing strict conditions, this Application succeeds only in respect of Applicant No.4 on the following terms:

(a) The Applicant No.4 Sou.Bhagubai Chimaji Metkari is released on bail in connection with C.R.No.1 of 2005 registered with Vijaypur Naka Police Station, Sholapur, on executing personal bond in the sum of Rs.10,000/- (Rupees Ten Thousand) with two local sureties in the like amount.

(b) The Applicant No.4 Sou.Bhagubai Chimaji Metkari shall report to the concerned Investigating Officer, once a week on Monday between 10.00 a.m. and 11.00 a.m. till the filing of the charge-sheet

and thereafter, as and when required by the concerned Investigating Officer.

(c) The Applicant No.4 Sou.Bhagubai Chimaji Metkari shall not influence the prosecution witnesses or tamper with the prosecution evidence in any manner whatsoever.

(d) The Applicant No.4 Sou.Bhagubai Chimaji Metkari shall not go outside District Sholapur, without prior intimation to the concerned Investigating Officer and the Trial Court.

(e) The Applicant N.4 Sou.Bhagubai Chimaji Metkari shall extend full co-operation to the Trial Court for early disposal of the trial and if the Trial Court is of the opinion that the Applicant No.4 is responsible for the delay of the trial, that fact be recorded in the Roznama, which will be a ground for cancellation of bail.

4. Application disposed of on the above terms.

A.M.KHANWILKAR, J.